Remarks

Claims 1, 3, 8 and 37-43 are currently pending in the Application. Claim 37 is presently canceled without prejudice and Claim 44 is newly presented herein.

Summary of claim amendments

This response amends pending claims to clarify the language of the claims. Support for the amendments can be found, for example, in at least Figures 3A, 4 and 8 and the corresponding text in the originally filed specification.

This response further amends Claim 1 to recite features of Claim 37 and cancels Claim 37 without prejudice.

New claim

This response adds new Claim 44 to more completely claim the invention. Support for the new Claim 44 can be found in Claim 3.

35 U.S.C. §112, first paragraph, rejection

The specification stands rejected under 35 U.S.C. §112, first paragraph, as being unclear. Specifically, the Examiner rejects the second sentence of paragraph [0004] as published. Applicant submits that paragraph [0004] as published has been amended to address this rejection and thus Applicant respectfully requests that the rejection be withdrawn.

35 U.S.C. §112, second paragraph, rejection

Claims 1, 3, 8 and 37-39 stand rejected under 35 U.S.C. §112 for allegedly failing to conform with current U.S. practice. Applicant submits that claims as amended above overcome the Examiner's rejection and Applicant respectfully requests that this rejection be withdrawn.

35 U.S.C. §102(e)/ §103(a) rejections

Claims 1, 3, 8, 37-39, 40 and 42-43 stand rejected under 35 U.S.C. §102(e) as being anticipated by Botelho (U.S. Publ. No. 2002/0069105). Claim 41 stands rejected under 35 U.S.C. §103(a) as being obvious in view of Botelho. Applicant respectfully disagrees and submits that Botelho does not teach each and every element as set forth in the rejected claims as amended. In particular:

Claim 1

A. Applicant also submits that Botelho does not disclose, suggest or teach, *inter alia*, the following features recited by amended Claim 1 of the present application:

> "an advertisement information accumulating device for storing the registered advertisement information for a **predetermined period of time**"

According to Botelho's paragraph [0052], ads are stored in database 100 (paragraph [0052, last two lines of Botelho). Applicant submits that Botelho does not teach, disclose or suggest that there is any time limit to how long the ads are stored in the database 100.

Because Botelho does not specify any time limit for storing ads in the database 100, Botelho does not teach, disclose or suggest "storing the registered advertisement information for a predetermined period of time" as recited in amended Claim 1. Hence, Claim 1 is patentable over Botelho and should be allowed by the Examiner. Claims 3, 8 and 37-43, at least based on their dependency on Claim 1, are also patentable over Botelho.

B. Applicant submits that Botelho does not disclose, suggest or teach, *inter alia*, the following features recited by amended Claim 1 of the present application:

> "a notice device configured to generate a removal notice when the rank of the advertisement information is under a predetermined rank and the advertisement information is stored for more than the **predetermined period of time** in the advertisement information accumulating device"

As shown above, Botelho does not teach does not teach, disclose or suggest that there is any limit to how long the ads are stored in the database 100. Because there is no limit to how long Botelho's ads are stored in the database 100, Botelho does not teach generating a "removal

notice" as recited in Claim 1 when ads are stored "for more than the predetermined period of time in the advertisement information accumulating device" as recited in Claim 1.

If the Examiner does not agree, the Examiner is requested to comply with 37 C.F.R. §1.104(c)(2) by designating "as nearly as practicable" where Botelho generates removal notices when "the rank of the advertisement information is under a predetermined rank and the advertisement information is stored for more than the predetermined period of time in the advertisement information accumulating device" as recited in Claim 1. Otherwise, the rejection should be withdrawn.

Claim 3

Applicant submits that Botelho does not disclose, suggest or teach, *inter alia*, the following features recited by amended Claim 3 of the present application:

> "a voting accepting device for processing a voting information provided by a user of the consumer terminal, wherein the interface portion transmits data based on the voting information to the distribution module for processing by the ranking device, wherein **the rank of the registered advertisement information is based on the data transmitted by the interface portion**"

The Examiner relies on Botelho's paragraph [0061] to allege that "ranking device" recited in Claims 1 and 3 is disclosed by Botelho (p. 4, ll. 1-2 of the Office Action). Applicant respectfully disagrees for the following reasons.

According to Botelho's paragraph [0061], ads are organized based on the number of impressions purchased by the advertiser (paragraph [0061], ll. 1-3 of Botelho). The ads with higher number of purchased impressions have higher priority than ads with lower number of purchased impressions (paragraph [0061], ll. 3-7 of Botelho). Contrary to Botelho, "the rank of the registered advertisement information" according to Claim 3 is "based on the data transmitted by the interface portion," not the number of impressions purchased by the advertiser as taught by Botelho.

Because Botelho assigns priority to ads based on the number of impressions purchased by

the advertiser, Botelho does not teach, disclose or suggest "the rank of the registered advertisement information is based on the data transmitted by the interface portion" as recited in amended Claim 3. Hence, Claim 3 is patentable over Botelho and should be allowed by the Examiner.

New Claim 44

Applicant submits that Botelho does not disclose, suggest or teach, *inter alia*, the following features recited by new Claim 44 of the present application:

> "a ranking distribution device configured to **provide said ranking information to said consumer terminal**"

According to Botelho's paragraph [0061], ads with higher priority are listed first in an index file and are served first (paragraph [0061], ll. 7-10 of Botelho). Although Botelho teaches providing ads to client 112, Applicant submits that Botelho does not teach, disclose or suggest providing the priority information of the ads to client 112. Because Botelho does not provide priority information of the ads to client 112, Botelho does not teach, disclose or suggest providing "ranking information to said consumer terminal" as recited in Claim 44. Hence, Claim 44 is patentable over Botelho and should be allowed by the Examiner.

If the Examiner does not agree, the Examiner is requested to comply with 37 C.F.R. §1.104(c)(2) by designating "as nearly as practicable" where Botelho provides priority information for Botelho's ads to client 112. Otherwise, the rejection should be withdrawn.

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In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

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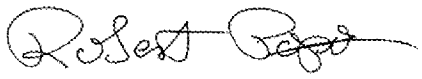
The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

Respectfully submitted,



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